

Borough of Allendale

May 10, 2012

Resolution 12-148

Read Budget by Title Only

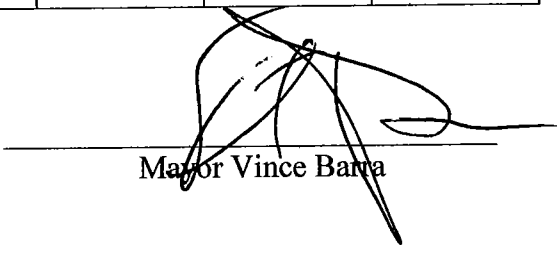
Whereas, the Budget, as advertised, shall be read in full, or it may be read by title, if the following conditions have been met:

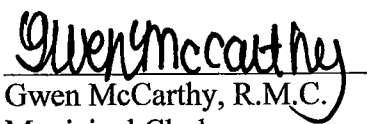
1. At least one week prior to the hearing date, copies of the approved budget shall be distributed to the municipal and county libraries.
2. At least one week prior to the date of the hearing, a complete copy of the approved budget shall be made available to each person requesting the same, and
3. The governing body shall, by resolution passed by not less than a majority of the full membership, determine that the budget shall be read by title only.

Now, Therefore Be It Resolved, that having met those conditions, the 2012 Municipal Budget may be read by title only.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica			✓			
McSwiggan		✓	✓			
Strauch			✓			
Wilczynski			✓			
White	✓		✓			
Barra						

I hereby certify the above to
be a true copy of a Resolution
adopted by the Governing Body
of the Borough of Allendale on
May 10, 2012


Mayor Vince Barra


Gwen McCarthy, R.M.C.
Municipal Clerk

Borough of Allendale

May 10, 2012

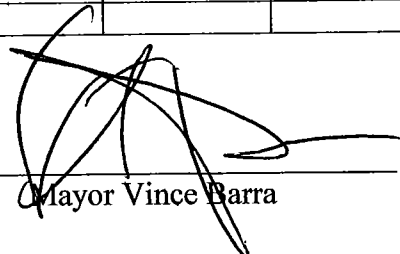
Resolution 12-149

Resolution to Adopt Budget


Be It Resolved by the Governing Body of the Borough of Allendale, County of Bergen, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$12,575,895.72 for municipal purposes.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica	✓		✓			
McSwiggan			✓			
Strauch			✓			
White		✓	✓			
Wilczynski			✓			
Barra						

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Gwen McCarthy, R.M.C.
Municipal Clerk

May 10, 2012

Borough of Allendale

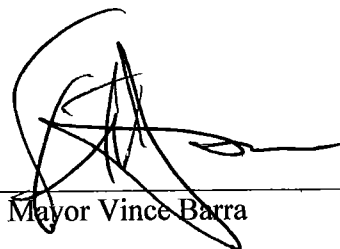
Resolution 12-150

List of Bills

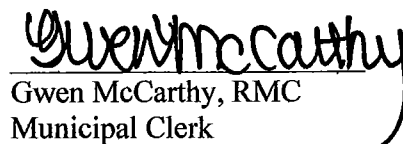
Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby approves the Bill List dated May 10, 2012.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica		✓	✓			
McSwiggan			✓			
Strauch			✓			
White			✓			
Wilczynski	✓		✓			
Barra						

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Gwen McCarthy, RMC
Municipal Clerk

May 10, 2012

Borough of Allendale

Resolution 12-152

Award Bid for 2013 Dump Truck

Whereas, bids were received on April 23, 2012 for the contract known as 2013 International Dump Truck (or equivalent) with snow plow and materials spreader; and

Whereas, three bids were received; and

Whereas, the apparent low bid of Robert H. Hoover and Sons, Inc. has been reviewed and has been deemed to be non-responsive since the bidder bid on a "Freightliner" vehicle and a "Cummins" engine in lieu of the specified brand; and

Whereas, contrary to the specifications, there was no exception taken in the "compliance" column on the appropriate page nor was there any explanation provided as to how the exceptions were "equal" to the specified brand; and

Whereas, due to the lack of appropriate information, the Borough was unable to make an informed determination as to whether or not the exception was equivalent to the specified brand. Accordingly, the bid of Robert H. Hoover and Sons, Inc. is rejected; and

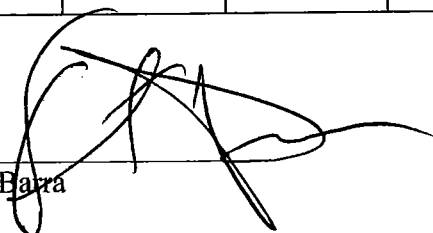
Whereas, the bid of Brown's Hunterdon International, LLC meets the bid specifications and is deemed to be the lowest, responsible, responsive bidder; and

Whereas, the Chief Financial Officer has certified that adequate funds are available and budgeted to pay for the contract; and

Now, Therefore, Be It Resolved, by the Governing Body that it does hereby award a contract to Brown's Hunterdon International, LLC of Bloomsbury, New Jersey for the bid price with trade-in allowance of \$167,135.00; and


Be It Further Resolved that the Mayor and Municipal Clerk are hereby authorized to execute an appropriate contract with the successful bidder following legal review.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica		✓	✓			
McSwiggan			✓			
Strauch			✓			
White			✓			
Wilczynski	✓		✓			
Barra						



Vince Barra
Mayor

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Gwen McCarthy, RMC
Municipal Clerk

Certification Of Availability of Funds

This is to certify to the of the Borough of Allendale that funds for the following resolutions are available.

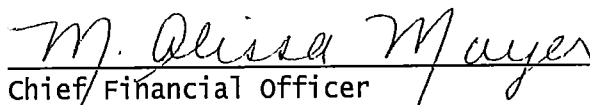
Resolution Date: 05/10/12
Resolution Number: 12-152

Vendor: B0241 BROWNS HUNTERDON INTERNATIONAL
963 RT. 173
BLOOMSBURY, NJ 08804

Contract: C1200003 Dump truck w/snow plow and
spreader

Account Number	Amount	Department Description
C-04-55-913-301	167,135.00	ORDINANCE 11-01
Total	167,135.00	

Only amounts for the 2012 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.


Chief Financial Officer

BOROUGH OF ALLENDALECHIEF FINANCIAL OFFICER
500 WEST CRESCENT AVENUE
ALLENDALE, NJ 07401**PURCHASE ORDER**THIS NUMBER MUST APPEAR ON ALL INVOICES,
PACKING LISTS, CORRESPONDENCE, ETC.

No. 12-01029

pg 1

SHIP TO

DPW GARAGE
NEW ST
ALLENDALE, NJ 07401

VENDOR

VENDOR #: B0241

BROWNS HUNTERDON INTERNATIONAL
963 RT. 173
BLOOMSBURY, NJ 08804ORDER DATE: 05/22/12
REQUISITION NO:
DELIVERY DATE:
STATE CONTRACT:
F.O.B. TERMS:VENDOR MUST FILE BUSINESS REGISTRATION CERTIFICATE
AND W-9 WITH FINANCE OFFICE BEFORE PAYMENT WILL BE
PROCESSED.

THIS ORDER IS TAX EXEMPT PER N.J.S.A. 54:32B-9(a)(1) TAX EXEMPT #69-0220362

QTY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
1.00	Contract: C1200003 Truck, Plow & Spreader per bid. Truck, Snowplow & Spreader as per the specifications and bid received on April 24, 2012.	C-04-55-913-301 Dump Truck w/ Plow and Salter	167,135.0000	167,135.00
			TOTAL	167,135.00
	Contract Total:	167,135.00		
	Previous Paid P.O.'s:	0.00		
	Other Open P.O.'s:	0.00		
	Amount this P.O.:	167,135.00		
	Available:	0.00		

DO NOT ACCEPT THIS ORDER UNLESS IT IS SIGNED BELOW. THE CONDITIONS OF THIS ORDER ARE NOT TO BE MODIFIED BY ANY VERBAL UNDERSTANDING

VENDOR: THIS VOUCHER SHALL BE SIGNED AND RETURNED TO THE "SHIP TO" DEPARTMENT ADDRESS.

THIS PURCHASE ORDER EXPRESSLY LIMITS ACCEPTANCE TO THE TERMS AND CONDITIONS STATED HEREIN, SET FORTH ON THE REVERSE SIDE HEREOF AND ANY SUPPLEMENTARY OR ADDITIONAL TERMS AND CONDITIONS ANNEXED HERETO OR INCORPORATED HEREIN BY REFERENCE, ANY ADDITIONAL OR DIFFERENT TERMS AND CONDITIONS PROPOSED BY SELLER ARE OBJECTED TO AND HEREBY REJECTED

CLAIMANT'S CERTIFICATION

I do solemnly declare and certify under the penalties of the law that the within bill is correct in all its particulars; that the articles have been furnished or services rendered as stated therein; that no bonus has been given or received by any person or persons within the knowledge of this claimant in connection with the above claim; that the amount therein stated is justly due and owing; and that the amount charged is a reasonable one.

VENDOR SIGN HERE

OFFICIAL POSITION

DATE

TAX I.D. NO. OR SOCIAL SECURITY NO.

MUNICIPAL CERTIFICATION

I, hereby certify that the claim specified herein is for articles received, personal services actually rendered or amounts expended for the Borough of Allendale, and that the articles received, personal services actually rendered or accounts expended for the Borough of Allendale, N.J. were in accordance with the specifications and amounts appearing on the purchase requisition.

DEPARTMENT HEAD

DATE

CHIEF FINANCIAL OFFICER

DATE

COUNCIL APPROVALS

PURCHASING AGENT

DATE PAID

CHECK NO.

VENDOR - SIGN AT X AND RETURN FOR PAYMENT WITH INVOICE

May 10, 2012

Borough of Allendale

Resolution 12-153

Appointment of Alternate Public Defender

Whereas, the Borough of Allendale requires the services of an Alternate Public Defender due to the resignation of the current Alternate Public Defender; and

Whereas, it is contemplated that the temporary and permanent budgets of the Borough will contain the necessary appropriations estimated to be reasonably required for such professional service; and

Now, Therefore, Be It Resolved by the Governing Body that Robert C. Metzdorf of 135 Fort Lee Road, Leonia, New Jersey 07605 is hereby appointed as Alternate Public Defender effective May 10, 2012 until December 31, 2012;

Be It Further Resolved, that said Alternate Public Defender shall be compensated at the rate of \$200 per case on an as-needed basis;

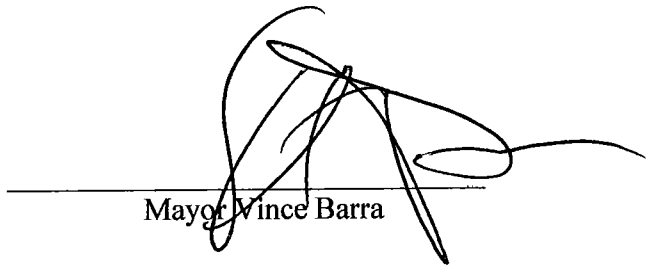
Be It Further Resolved, that the aforesaid appointment is made without competitive bidding under the provisions of N.J.S.A. 40A:11-5(1)(a) which excepts from competitive bidding professional services rendered by persons authorized by law to practice a recognized profession and whose practice is regulated by law; and

Be It Further Resolved, that the Mayor and Municipal Clerk are hereby authorized to execute a contract with the aforesaid professional named herein for the services to be rendered; and

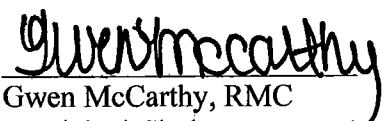
Be It Further Resolved, that a copy of this Resolution be filed with the Municipal Clerk and made available for inspection and that a brief notice of the passage thereof be published in The Record within ten (10) days of the passage as required by law.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica		✓	✓			
McSwiggan			✓			
Strauch			✓			
White			✓			
Wilczynski	✓		✓			
Barra						

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Mayor Vince Barra


Gwen McCarthy, RMC
Municipal Clerk

Borough of Allendale

May 10, 2012

Resolution 12-154

Appointment of Seasonal DPW Employee

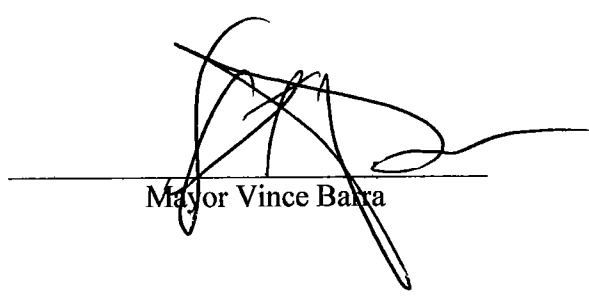
Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that the following individual be appointed as a Seasonal Employee:

Name	Department	Appointment Date	Salary
Sean Toolan	Public Works	May 11, 2012	\$10/hour


	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica		✓	✓			
McSwiggan			✓			
Strauch			✓			
White			✓			
Wilczynski	✓		✓			
Barra						

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Mayor Vince Barra


Gwen McCarthy, RMC
Municipal Clerk

Borough of Allendale

May 10, 2012

Resolution 12-155

Crestwood Lake Staff Salaries for 2012

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that the following salaries are hereby approved for the Crestwood Lake Swim Club 2012 Season as follows:

Directors

Tom Viscardi – Director	\$14,280.00
Leighton Yates – Assistant	\$ 9,588.00
Kevin Hughes – Assistant	\$ 8,415.00

Lifeguards

Chelsea Andrews	\$ 8.75
Amanda Ayers	\$ 10.50
Tierney Benvenuto	\$ 10.25
Gene Bolton	\$ 11.00
William Bonifacic	\$ 8.50
Tom Bouregy	\$ 8.75
Gregory Dworkin	\$ 8.50
Paul Fallon	\$ 8.50
Christopher Forst	\$ 8.75
Jad Groome	\$ 8.50
Leah Haines	\$ 10.00
Brian Koch	\$ 10.25
Marissa Lauber	\$ 8.75
Jaclyn Ludwig	\$ 10.75
Andrew Mazen	\$ 9.50
Matt Mecca	\$ 9.00
Anthony Messina	\$ 8.75
Sal Messina	\$ 10.25
Lauren Morgan	\$ 10.50
Maggie Mulder	\$ 8.50
Mary Nayden	\$ 11.00
Katie Ogden	\$ 8.50
Christine Patrick	\$ 8.75
Natalie Petrus	\$ 8.50
Jaclyn Pilkington	\$ 10.75
Patrick Routh	\$ 8.75
Dan Rubino	\$ 8.50
Alexandra Russell	\$ 8.50
Erin Sayre	\$ 8.75
Zachary Taylor	\$ 9.50

Alexa Widawsky	\$	9.00
Brooke Yellen	\$	9.00
Michael Zoeller	\$	11.00
William Zoeller	\$	10.00

Substitute Lifeguards

Emily Barsamian	\$	8.50
Ryan DeMarco	\$	8.50
James Heaney	\$	8.50
Madison Holleran	\$	8.50
Dan Kim	\$	8.50
Eric Macksoud	\$	8.50
Vincent Messina	\$	8.50
James Michalski	\$	8.50
Vladimir Moor	\$	8.50
Lauren Richardson	\$	8.50
Richard Shea	\$	8.50
Sarah Shepp	\$	8.50
Abigail Suph	\$	8.50
Jonathan Teng	\$	8.50

Swim/Dive Team Coaches

Andrew Mazen	\$	550.00
Brian Koch	\$	400.00

Assistant Swim/Dive Team Coaches

Marissa Lauber	\$	500.00
Alexandra Russell	\$	350.00

Gate People

Emma Bonan	\$	9.00
Kylie Bouregy	\$	8.00
Lucas Morgan	\$	8.25
Cassandra Poulis	\$	8.00
Erin Tobin	\$	9.15

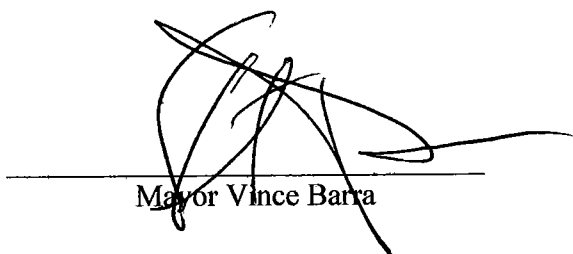
Substitute Gate People

Ryan Ayers	\$	8.00
Erin LaRossa	\$	8.00
Vincent Messina	\$	8.00
Kyle Wilczynski	\$	8.00

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica		✓	✓			
Schoepflin			✓			
Strauch			✓			
White			✓			
Wilczynski	✓		✓			
Barra						

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Gwen McCarthy
Gwen McCarthy, RMC
Municipal Clerk



Mayor Vince Barra

Borough of Allendale

May 10, 2012

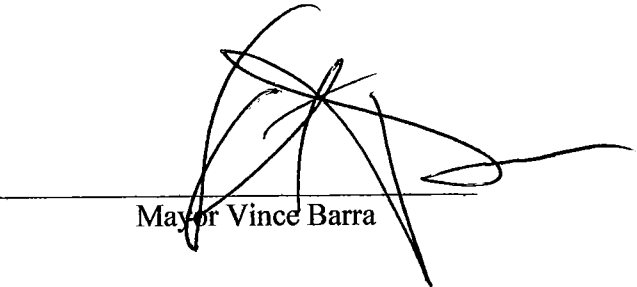
Resolution 12-156

Approval of Memorial Day Parade

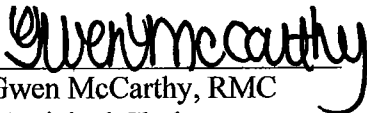
Now, Therefore, Be It Resolved by the Mayor and Borough Council do hereby grant permission to the Veterans of Foreign Wars Post 10181 to conduct the annual Memorial Day Parade on Monday, May 28, 2012 at 9:30 a.m.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica		✓	✓			
McSwiggan			✓			
Strauch			✓			
White			✓			
Wilczynski	✓		✓			
Barra						

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Mayor Vince Barra


Gwen McCarthy, RMC
Municipal Clerk

May 10, 2012

Borough of Allendale

Resolution 12-157

Approval of Raffle License #373
Waldwick Lions Club

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby approves Raffle License #373 as follows:

Waldwick Lions Club

August 29, 2012

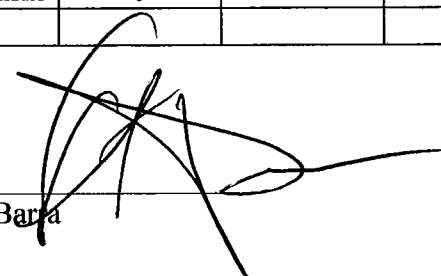
Off Premises Draw Raffle for Merchandise

9:00 p.m.

Raffle Location: Allendale Bar and Grill

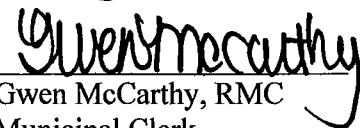
Prizes: Two 2012 NY Giants Season Tickets

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica		✓	✓			
McSwiggan			✓			
Strauch			✓			
White			✓			
Wilczynski	✓		✓			
Barra						



Vince Barra
Mayor

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Municipal Clerk

Borough of Allendale

May 10, 2012

Resolution 12-158

Opposition to Senate Bills 1451 and 1452

Whereas, legislation has been introduced to reform and modernize both the Open Public Meetings Act (S-1451) and the Open Public Records Act (S-1452); and

Whereas, the governing body of the Borough of Allendale agrees with and supports the statement that “the right of the public to be present at all meetings of public bodies, and to witness in full detail all phases of the deliberation, policy formulation, and decision making of public bodies, is vital to the enhancement and proper functioning of the democratic process”; and

Whereas, the changes, however, proposed in S-1451 will not only be a cost driver for local and State government but make government less effective; and

Whereas, S-1451 includes a number of proposed requirements which involve costly unfunded mandates, impractical requirements and impediments to the democratic process, including the following:

- A new definition of subcommittees that expands subcommittees to be overly inclusive so that, for example, even research projects assigned to one member of a public body could be covered; and
- A new requirement that all subcommittees meetings include notice of their meeting and the preparation of minutes, which would, among other things, necessitate additional administrative support for all meetings of subcommittees as well as increased legal advertising costs; and
- A new requirement that agendas provide a description of all agenda items, including the names of parties to and approximate dollar amounts of any contracts to be acted upon, which will delay the award of contracts and could lead to the loss of grant monies; and
- A new requirement that the governing body may discuss, but not act upon, an item brought up by a citizen at a public meeting if it was not published as an agenda item, that not only runs contrary to the time honored tradition of holding a public meeting for the very purpose of soliciting such input and acting upon it but is impractical, ineffective and unnecessarily inhibits the operations of municipal government; and
- A new requirement for advance notification of estimated start times for the public portion of the meeting and the portion of the meeting from which the public is to be excluded that is unworkable and disruptive; and
- A new requirement that recordings of meetings become a part of the minutes that renders the recordings a permanent municipal record and is not only counter to the already-established records retention schedule of Division of Archive and Records Management for such records but which will be costly to preserve the records to ensure that they are permanent; and

- A new requirement that electronic communications, such as e-mails and text messages, concerning public business among an effective majority of the members that occurred prior to a meeting become part of the minutes and renders the recordings a permanent municipal record, is unworkable and unmanageable as the technology does not always exist to make “hard copies” or digital copies of text messages and the records custodian does not always have access to them, and which is an unprecedented expansion of the meeting concept; and
- A new requirement that public bodies be permitted to exclude the public from discussion of personnel matters only with the written consent of the employee and potentially affected employees which will inhibit the public bodies’ ability to take necessary actions on personnel matters and could lead to costly litigation; and
- A new requirement that comprehensive minutes must include each member’s stated reason for their actions or vote, the identity of each member of the public who spoke, and summary of what was said, be made available to the public as soon as possible but no later than 45 days after the meeting that will not only be costly but the historical value of minutes will be lost in order to meet an arbitrary deadline; and

Whereas, the governing body of the Borough of Allendale agrees that government records should be readily accessible and transparent but there must be an appropriate balance between the need for openness and transparency in government and citizen’s reasonable expectation of privacy; and

Whereas, among the costly unfunded mandates and impractical new requirements of S-1452 are the following:

- The expansion of the definition of government record to include records that are required by law to be made, maintained or kept on file by any public agency that will lead to a records custodians to be in violation of OPRA for the non-existence of a government records created before their tenure with the public body; and
- The creation of a definition for “advisory, consultative or deliberative” material that may be contrary to the well established definition in case law leading to costly litigation; and
- The expanding of the definition of government record to include electronic communications, such as e-mails and text messages, concerning public business among an effective majority of the members that occurred prior to a meeting that is unworkable and unmanageable as the technology does not always exist to make “hard copies” or digital copies of text messages, the records custodian does not always have access to the electronic communications and certain cell phone carriers will not provide this information without subpoena; and
- The inclusion of a subjective definition for “reasonable” that may be contrary to the well established definition in case law leading to costly litigation; and

- A new requirement that any video or audio recordings or public meetings should be available in unedited form will be in direct violation of the Open Public Meetings Act requirement that requires the redacting of discussions in closed session until the matter can legally be released; and
- A new requirement on how to handle redactions and special services fees are time consuming and costly, especially considering that the Government Records Council has already addressed these procedures in their Custodians' Toolkit which should be codified; and
- A provision that permits the records custodian to advise a requestor that a government record is readily available on the public agency's website; however the bill requires the records custodian to directly provide the records to the requestor if they do not have access to a computer but does not define what is meant by "access to a computer"; and
- A new costly requirement that when there is a special service charge the requestor must be provided, at no cost, an index generally describing the responsive government records to be provided and to the greatest extent possible the index shall include the name of each record or brief description of the record or general categories of records, a detailed breakdown of how the special charges were assessed and if the records are exempt or redacted, the records custodian must provide a description of those records; and
- A provision that prohibits the assessment of a special service charge for requests for budget, bills, vouchers, contracts and public employee salaries and overtime unless the request is deemed voluminous, which is undefined and subjective; and

Whereas, the provisions of S-1451 and S-1452 place financial, time, manpower and other burdens on municipalities at a time when municipalities are forced to layoff municipal employees, impose furloughs and reduce departmental budgets so that municipalities can meet the strict CAP requirements with decreased revenues and increased operating expense; and

Whereas, the totality of the new requirements of S-1451 and S-1452 will be a significant cost driver for local and State government with no known appropriation contemplated or any alternate means to offset these costs, such a reasonable increase in fees; and

Whereas, while the governing body of the Borough of Allendale strives for and agrees that open and transparent government is essential to the democratic process, the provisions of S-1451 and S-1452 will make government inefficient;

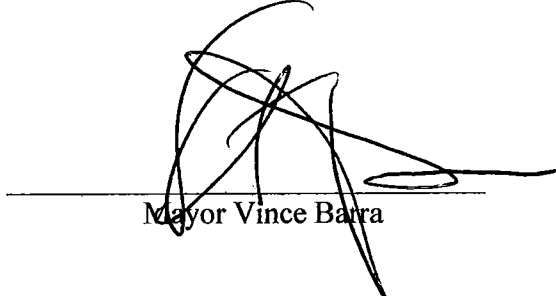
Now, Therefore, Be It Resolved, that the governing body of the Borough of Allendale, County of Bergen, and State of New Jersey for reasons stated above, does hereby oppose S-1451 and S-1452 as currently drafted, and strongly urges the State Senate and Assembly to oppose these bills; and

Be It Further Resolved that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Senator Loretta Weinberg, Senator Barbara Buono,


Senator Shirley Turner, Assembly Speaker Shelia Oliver, Assemblyman Gordon Johnson, Assemblyman Upendra Chivukula, the legislators of the 40th State Legislative District, Governor Chris Christie, the New Jersey State League of Municipalities and the Municipal Clerks' Association of New Jersey.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica		✓	✓			
McSwiggan			✓			
Strauch			✓			
White			✓			
Wilczynski	✓		✓			
Barra						

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Municipal Clerk

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Borough of Allendale
Crestwood Lake Regulations

Resolution 12-159

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it does hereby authorize the following, effective for the calendar year 2012:


- Teen memberships are only available to residents of Allendale, Upper Saddle River, Saddle River, Ho-Ho-Kus and Midland Park.
- Half price guest books are limited to two per member family and are available on Crestwood Lake Day only.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica		✓	✓			
McSwiggan			✓			
Strauch			✓			
White			✓			
Wilczynski	✓		✓			
Barra						

I hereby certify the above to
be a true copy of a Resolution
adopted by the Governing Body
of the Borough of Allendale on
May 10, 2012



Mayor Vince Barra


Gwen McCarthy, RMC
Municipal Clerk

Borough of Allendale

May 10, 2012

Resolution 12-160

* * * * *

Member Wilczynski introduced and moved
the adoption of the following resolution and Member
Lamonica seconded the motion:

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
ALLENDALE, IN THE COUNTY OF BERGEN, NEW JERSEY, DESIGNATING
\$2,438,800 OF NOTES CONSISTING OF \$2,199,600 GENERAL BOND
ANTICIPATION NOTES AND \$239,200 WATER UTILITY BOND ANTICIPATION
NOTES, BOTH ISSUES DATED MAY 10, 2012, PAYABLE MAY 10, 2013, AS
"QUALIFIED TAX-EXEMPT OBLIGATIONS" PURSUANT TO SECTION 265(b)(3)
OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

WHEREAS, the Borough of Allendale, in the County of
Bergen, New Jersey (the "Borough") intends to issue \$2,438,800
of notes consisting of \$2,199,600 General Bond Anticipation
Notes and \$239,200 Water Utility Bond Anticipation Notes, both
issues dated May 10, 2012, payable May 10, 2013 (the "Notes");
and

WHEREAS, the Borough desires to designate the Notes as
"qualified tax-exempt obligations" pursuant to Section 265(b)(3)
of the Internal Revenue Code of 1986, as amended (the "Code");

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Allendale, in the County of Bergen, New Jersey, as follows:

SECTION 1. The Notes are hereby designated as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code.

SECTION 2. It is hereby determined and stated that (1) said Notes are not "private activity bonds" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2012.

SECTION 3. It is further determined and stated that the Borough has, as of the date hereof, issued the following tax-exempt obligations (other than the Notes) during the calendar year 2012:

<u>Amount</u>	<u>Dated - Due</u>
\$1,447,000 BANS	2/1/12 - 2/1/13

SECTION 4. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3)

of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 5. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Notes and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2012 dated as of the date of delivery of the Notes.

SECTION 6. This resolution shall take effect immediately upon its adoption.

The foregoing resolution was adopted by the following roll call vote:

	Bernstein
	La Monica
Ayes:	McSwiggan
	Strauch
	White
Nays:	wilczynski
	none

[SEAL]

ATTEST:

Borough Clerk

Guenther McCarthy